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SENATE BILL 868

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Cisco McSorley

AN ACT

RELATING TO CRIMINAL SENTENCING; INCREASING PENALTIES FOR THE
OFFENSE OF CRIMINAL DAMAGE TO PROPERTY; AMENDING A SECTION OF
THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-15-1 NMSA 1978 (being Laws 1963,
Chapter 303, Section 15-1) is amended to read:

"30-15-1. CRIMINAL DAMAGE TO PROPERTY. --

A. Criminal damage to property consists of
intentionally damaging ~~[any]~~ the real or personal property of
another without the consent of the owner of the property.

B. Whoever commits criminal damage to property ~~[is
guilty of a petty misdemeanor, except that when the damage to
the property amounts to more than one thousand dollars
(\$1,000), he is guilty of a fourth degree felony]~~ when the

underscored material = new
[bracketed material] = delete

1 damage to the property is one hundred dollars (\$100) or less is
2 guilty of a petty misdemeanor.

3 C. Whoever commits criminal damage to property when
4 the damage to the property is greater than one hundred dollars
5 (\$100) but not more than one thousand dollars (\$1,000) is
6 guilty of a misdemeanor. Upon conviction, the offender shall
7 be sentenced to a jail term of not less than thirty days, which
8 shall not be suspended, deferred or taken under advisement.

9 D. Whoever commits criminal damage to property when
10 the damage to the property is greater than one thousand dollars
11 (\$1,000) is guilty of a fourth degree felony."

12 Section 2. EFFECTIVE DATE. --The effective date of the
13 provisions of this act is July 1, 2003.